

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>LAURA J. PATTERSON,</b>	)	<b>CASE NO. 5:08CV0019</b>
	)	
<b>Plaintiff,</b>	)	<b>JUDGE PETER C. ECONOMUS</b>
	)	
<b>v.</b>	)	
	)	
<b>COMMISSIONER OF</b>	)	
<b>SOCIAL SECURITY,</b>	)	<b>ORDER</b>
	)	
<b>Defendant.</b>	)	
	)	

This matter is an action to review a final decision of the Commissioner of Social Security denying Plaintiff's application for supplemental security income.

On January 23, 2008, the instant matter was automatically referred to United States Magistrate Judge James S. Gallas, pursuant to L.R. 72.2(b), for the issuance of a Report and Recommendation. (Dkt. # 6). On January 29, 2009, Magistrate Judge Gallas issued a Report and Recommendation advising that the final decision of the Commissioner is not supported by substantial evidence and should be reversed and remanded under the fourth sentence of 42 U.S.C. § 405(g) for reconsideration. (Dkt. # 16).

Rule 72(b) of the Federal Rules of Civil Procedure provides that objections to a report and recommendation must be filed within ten (10) days after service. See FED. R. Civ. P. 72 (b). However, Defendant has informed the Court that he will not be filing any such objections. Any further review by this Court would be a duplicative and an

inefficient use of the Court's limited resources. See Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir.1981).

Therefore, the Report and Recommendation of Magistrate Judge Gallas (Dkt. # 16) is hereby **ADOPTED**. Accordingly, the final decision of the Commissioner is **REVERSED and REMANDED** under the fourth sentence of 42 U.S.C. § 405(g) for reconsideration.

**IT IS SO ORDERED.**

/s/ Peter C. Economus – February 17, 2009  
**PETER C. ECONOMUS**  
**UNITED STATES DISTRICT JUDGE**